

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
ABERDEEN**

<b>In re:</b>	)	
	)	
	)	
<b>Express Grain Terminals, LLC,</b>	)	<b>Case No. 21-11832-SDM</b>
	)	
<b>Debtor.</b>	)	<b>Chapter 11</b>
	)	

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**NOTICE OF NON-CONSENT TO UNAUTHORIZED USE OF CASH COLLATERAL**

UMB Bank, N.A. (the “Bank”), by and through counsel, hereby gives notice as follows:

1. Debtors Express Grain Terminals, LLC, Express Biodiesel, LLC, and Express Processing, LLC (collectively, the “Business Debtors”) are indebted to Bank under an Amended and Restated Revolving Note dated December 17, 2020 in the original principal amount of \$40,000,000.00 (the “Revolving Note”) and an Amended and Restated Term Note dated December 17, 2020 in the original principal amount of \$35,000,000.00 (the “Term Note”). The indebtedness is further evidenced by a Fourth Amended and Restated Loan and Security Agreement (as amended, the “Loan Agreement”).

2. In the Loan Agreement, to secure the indebtedness owed to the Bank, Business Debtors granted a security interest to Bank in all of their personal property (the “Personal Property Collateral”). Bank has properly perfected its interest in the Personal Property Collateral by filing a financing statement with the Mississippi Secretary of State.

3. Business Debtors have not filed a motion seeking permission, and they have not obtained permission from Bank or this Court to use Cash Collateral (as defined in 11 U.S.C. § 362(a)) pursuant to 11 U.S.C. § 363(c).

4. Bank does not consent to the Business Debtors' use of Cash Collateral or the disposition of any of the Collateral absent an order from this Court.<sup>1</sup> The Bank also notifies Business Debtors that they are required to fully comply with 11 U.S.C. § 363(c) including without limitation, the requirement that it segregate and account for all of Bank's Cash Collateral which comes into the Business Debtors' possession and control from and after the filing of their Chapter 11 petitions.

Date: October 2, 2021.

Respectfully Submitted,

BAKER, DONELSON, BEARMAN,  
CALDWELL & BERKOWITZ, P.C.

/s/ R. Spencer Clift, III  
R. Spencer Clift, III (MSB #100208)  
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*Attorneys for UMB Bank, N.A.*

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<sup>1</sup> Bank and Business Debtors have been negotiating use of cash collateral but have not yet come to an agreement.

**CERTIFICATE OF SERVICE**

I hereby certify that on the 2nd day of October, 2021, a copy of the foregoing was served on the parties listed below by first-class mail, postage prepaid, unless said party is a registered CM/ECF participant who has consented to electronic notice, and the Notice of Electronic Filing indicates that Notice was electronically mailed to said party:

Express Grain Terminals, LLC  
2015 River Road Extd.  
Greenwood, MS 38930

Craig M. Geno  
Law Offices of Craig M. Geno, PLLC  
587 Highland Colony Parkway  
Ridgeland, MS 39157

Internal Revenue Service  
Attn: Special Processing Staff  
100 West Capitol Street  
Room 504  
Jackson MS 39269

Southern AgCredit, ACA  
c/o Jeffrey M. Williams  
Hubbard, Mitchell, Williams & Strain, PLC  
Post Office Box 13309  
Jackson, MS 39236

U.S. Trustee  
501 East Court Street  
Suite 6-430  
Jackson, MS 39201

/s/ R. Spencer Clift, III